

Message

From: Wehling, Carrie [Wehling.Carrie@epa.gov]
Sent: 5/11/2020 1:59:22 PM
To: Parikh, Pooja [Parikh.Pooja@epa.gov]
Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

Yes, that would be good.

I have to say, after now reading the latest Umatilla letter, it is a bit confusing what the purpose of the letter is (prior versions seemed much more explicit).....

Thanks.

Carrie

Caroline (Carrie) Wehling
Assistant General Counsel
Water Law Office
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Washington DC 20004
202-564-5492
wehling.carrie@epa.gov

From: Parikh, Pooja <Parikh.Pooja@epa.gov>
Sent: Monday, May 11, 2020 9:21 AM
To: Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

Ah, okay. This all makes sense to me. Can I go ahead and respond to David's email with my suggested edits?

From: Wehling, Carrie <Wehling.Carrie@epa.gov>
Sent: Monday, May 11, 2020 9:19 AM
To: Parikh, Pooja <Parikh.Pooja@epa.gov>
Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Your suggestions work for me.

Thanks.

Carrie

Caroline (Carrie) Wehling
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wehling.carrie@epa.gov

From: Parikh, Pooja <Parikh.Pooja@epa.gov>
Sent: Monday, May 11, 2020 9:04 AM
To: Wehling, Carrie <Wehling.Carrie@epa.gov>

Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Messier, Dawn <Messier.Dawn@epa.gov>

Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

Hmmm... I actually didn't

Ex. 5 AC/DP

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Ex. 5 AC/DP

I was going to suggest editing the language somewhat – see below – but conceptually, it sounded okay to me.

Ex. 5 AC/DP

My suggested edits are intended to clarify that:

Ex. 5 AC/DP

Carrie, please let me know if I'm missing your concern here... thanks!

Pooja

From: Wehling, Carrie <Wehling.Carrie@epa.gov>

Sent: Monday, May 11, 2020 8:22 AM

To: Parikh, Pooja <Parikh.Pooja@epa.gov>

Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Messier, Dawn <Messier.Dawn@epa.gov>

Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

Dropping David.

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Ex. 5 AC/DP

Ex. 5 AC/DP

Carrie

Caroline (Carrie) Wehling
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wehling.carrie@epa.gov

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Sunday, May 10, 2020 12:56 PM
To: Wehling, Carrie <Wehling.Carrie@epa.gov>; Parikh, Pooja <Parikh.Pooja@epa.gov>
Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Messier, Dawn <Messier.Dawn@epa.gov>
Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

Thanks for the discussion about this at reg review last week. After thinking through the issues further, I'd like to ask R10 to add some language along the following lines to the letter. Let me know your thoughts.

Ex. 5 AC/DP

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
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Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Wehling, Carrie <Wehling.Carrie@epa.gov>
Sent: Tuesday, May 5, 2020 9:02 AM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Parikh, Pooja <Parikh.Pooja@epa.gov>
Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Messier, Dawn <Messier.Dawn@epa.gov>
Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

We can discuss further at reg review, but just to clarify:

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Ex. 5 AC/DP

Carrie

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From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Tuesday, May 05, 2020 8:54 AM
To: Parikh, Pooja <Parikh.Pooja@epa.gov>
Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Messier, Dawn <Messier.Dawn@epa.gov>
Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

One additional question about

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Ex. 5 AC/DP

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Fotouhi, David

Sent: Tuesday, May 5, 2020 8:50 AM

To: Parikh, Pooja <Parikh.Pooja@epa.gov>

Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Messier, Dawn <Messier.Dawn@epa.gov>

Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

Thanks, Pooja. Very helpful. I still have a question about

Ex. 5 AC/DP

Ex. 5 AC/DP

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Let's discuss further.

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
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fotouhi.david@epa.gov

From: Parikh, Pooja <Parikh.Pooja@epa.gov>

Sent: Tuesday, May 5, 2020 8:15 AM

To: Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Messier, Dawn <Messier.Dawn@epa.gov>

Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

David,

Yes,

Ex. 5 AC/DP

Ex. 5 AC/DP

With respect to your other question,

Ex. 5 AC/DP

Ex. 5 AC/DP

Happy to discuss further. Thanks.

Pooja

From: Fotouhi, David <Fotouhi.David@epa.gov>

Sent: Monday, May 04, 2020 11:46 PM

To: Parikh, Pooja <Parikh.Pooja@epa.gov>

Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Messier, Dawn <Messier.Dawn@epa.gov>

Subject: RE: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

Thanks, Pooja. This draft is quite confusing—

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Ex. 5 AC/DP

David Fotouhi

Principal Deputy General Counsel
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fotouhi.david@epa.gov

From: Parikh, Pooja <Parikh.Pooja@epa.gov>

Sent: Monday, May 4, 2020 10:51 PM

To: Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Messier, Dawn <Messier.Dawn@epa.gov>

Subject: For your review -- R10 draft letter to Oregon re Umatilla section 1431 petition

David

At a recent reg review, you had mentioned that you wanted to see the draft letter that Region 10 plans to send to Oregon regarding the SDWA 1431 petition seeking emergency action to address nitrate contamination in the Lower Umatilla Basin. Region 10 sent me the draft letter (attached) this evening, indicating that they are briefing Lauris Davies (Acting Director, ECAD) this Thursday at 2 pm and recommending signature of the letter. They are also sharing the letter with their RA this week, with a note indicating that you have asked to review the letter before it is signed. Please let me know if you have any comments or would like to discuss further. Thanks.

Pooja S. Parikh
Attorney- Advisor
U.S. Environmental Protection Agency
Office of General Counsel, Water Law Office
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